

City of Alamo Heights
BOARD OF ADJUSTMENT
MINUTES
May 6, 2009

The Board of Adjustment held its rescheduled meeting in the Council Chambers at 6120 Broadway on Wednesday, May 6, 2009 at 5:30 p.m.

Members present and composing a quorum of the Board:

Bill Orr – Chairman
Susan Wilson –Vice Chair
Mary Bartlett
Hall Hammond, Alternate

Members Absent:

Grant McFarland
Gregg Chislett
Andrew Herdeg, Alternate

Staff Members Present:

Ann McGlone, Community Development Director
Gracie Flores, Community Development Representative
Kathy Rodriguez, Community Development Coordinator

The meeting was called to order by Mr. Orr at 5:33 p.m.

Ms. Wilson made a motion to approve the minutes from April 1, 2009 as submitted. Mr. Hammond seconded the motion.

The motion was approved with the following vote:

FOR: Orr, Wilson, Bartlett, Hammond

AGAINST: None

CASE NO. 2005

233 Wildrose Ave., Application of Emory Lee Delavan, owner, represented by John Grable, FAIA, to construct a new single story, two car garage to the rear of the property located at 233 Wildrose Ave, CB 5571A BLK 6 LOT 39, 40, 41, & 42 , zoned SF-A. The permit was denied on the grounds that the rear yard setback of the proposed garage will be 2'-7" instead of the 5'-0" minimum required by Sec. 3-16(3).

John Grable, FAIA, explained to the Board that the he will present this case to the City Council to request a demolition permit to demolish the existing two-story detached two-car garage if the variances are approved. Mr. Grable stated that the existing garage is 529 square feet and the proposed garage will be 752 square feet. Mr. Grable stated that the project will include a breezeway attached to the main house and will include a laundry room.

A motion was made by Mr. Hammond to approve Case Number 2005 as submitted. The motion was seconded by Ms. Bartlett.

The motion was approved with the following vote:
FOR: Orr, Wilson, Bartlett, Hammond
AGAINST: None

CASE NO. 2007

416 College Blvd., Application of Roslyn Mazal, owner, to construct a second floor addition to an existing single story garage located at 416 College Blvd, CB 4024 BLK 162 LOT 2, E 25 FT OF 1, zoned SF-A. The permit was denied on the grounds of the following: 1) the height for the accessory building from grade to the top of the ridge will be 23'-6" instead of the 20'-0" maximum height allowed per Sec. 3-18(4); 2) the wall plate height for the accessory building will be 19'-3" instead of the 14'-0" maximum allowed per Sec. 3-14(4); 3) the side yard setback will be 3'-0" instead of the 5'-0" minimum allowed per Sec. 3-15(4); 4) the rear yard setback will be 3'-0" instead of the 5'-0" minimum per Sec. 3-16(3).

Roslyn Mazal, owner, explained to the Board that she will have her four children living with her in the two bedroom, two bath 1,800 sq ft residence and described how the lack of living space is the hardship. Ms. Mazal stated that she had explored many options to meet her family's needs while impacting the neighborhood as little as possible. Ms. Wilson commented that although she sympathizes with the applicant, the request is not a true hardship and suggested that revising the plan would be more advantageous.

Philip Lemessurier, 402 College, stated that he felt the grounds for the request was not compelling enough.

Anne Coiner, 430 Evans, felt that granting the request will encourage others to go around what the ordinance allows.

Mr. Orr stated that the Board of Adjustment has a duty to enforce the Building Code and suggested that the applicant come back with revisions.

A motion was made by Mr. Hammond to approve items 3 and 4 as submitted and continue items 1 and 2 until the next Board of Adjustment meeting on June 3, 2009. The motion was seconded by Ms. Wilson.

The motion was approved with the following vote:
FOR: Orr, Wilson, Bartlett, Hammond
AGAINST: None

CASE NO. 2008

300 Redwood St., Application of Frank B. Peterson, owner, represented by DeWitt Architects, to construct an addition to the main house and an addition to the garage located at 300 Redwood St., CB 4050 BLK 82 LOT 1-2, 3& 4, zoned SF-A. The permit was denied on the grounds of the following: 1) The front yard setback for the main structure will be 16'-0" instead of the 30'-0" required by Sec. 3-14. 2) The side yard articulation of the main structure second story will have an offset of 2'-0" instead of the 3'-0" minimum required by Sec. 3-15. 3) The side yard setback for the accessory structure will be 0'-0" instead of the 5'-0" minimum required by Sec. 3-15(4).

Peter DeWitt, DeWitt Architects, explained to the Board that existing house is on an irregular shaped lot which causes the front 13'-4" of the house to reside within the 30 ft front setback, and the existing garage is within both side setbacks by 2'-1" and 4'-2". Mr. DeWitt explained that the proposed addition of a second floor to the front, east side of the house would be in front of the setback. Mr. DeWitt stated that the proposed addition of a new roof and enlargement of the garage extends the non-conformities for the garage to allow it to meet the garage size requirements in the code.

A motion was made by Ms. Wilson to approve Case No. 2008 as submitted. The motion was seconded by Ms. Bartlett.

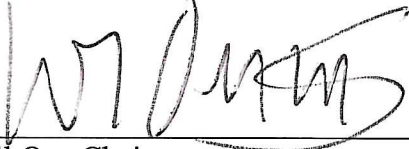
The motion was approved with the following vote:

FOR: Orr, Wilson, Bartlett, Hammond

AGAINST: None

There being no further business, the meeting was adjourned.

THE PROCEEDINGS OF THE BOARD OF ADJUSTMENT ARE ALSO RECORDED ON COMPACT. THESE MINUTES ARE THE OFFICIAL RECORD OF THE PROCEEDINGS CONTAINED HEREIN. THESE MINUTES ARE NOT A VERBATIM TRANSCRIPT OF THE PROCEEDINGS AND DO NOT PURPORT TO INCLUDE ALL EVIDENCE PRESENTED OR STATEMENTS MADE.



Bill Orr, Chairman



Gracie Flores
Recording Secretary

60309

Date Signed & Filed